IN THE UNITED STATES PATENT AND TRADEMARK OFFICE (Case No. 97-022-B2-CO)

In re Application of:)
••) Examiner: Pablo S. Whaley
R. Terry Dunlay, et al.)
) Art Unit: 1631
Serial No.: 10/686,161)
)
Filed: October 15, 2003) Confirmation No.: 6805
)
For: A System for Cell-Based Screening)

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. Section 1.97 - 1.99, the Applicant wishes to make the following references of record in the above-identified application. This Information Disclosure Statement is in compliance with the continuing duty of candor as set forth in 37 C.F.R. Section 1.56. Copies of the Foreign and Journal references cited below are enclosed. These references are also listed on the enclosed PTO Form 1449.

In the judgment of the undersigned, portions of the listed references may be material to the Examiner's consideration of the presently pending claims. However, the references have not been reviewed in sufficient detail to make any other representation and, in particular, no representation is intended as to the relative relevance between references, whether cited in this or prior statements. This statement is not a representation that the listed references have effective dates early enough to be "prior art" within the meaning of 35 U.S.C. Section 102 or Section 103.

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This I	nformat	ion Disclosure Statement is being filed:
	date o	three months of the filing date of a national application; within three months of the f entry into the national stage as set forth in 37 C.F.R. § 1.491 in an international ation; or before the mailing date of a first Office Action on the merits. 37 C.F.R. (b)
	nation mailin Action	three months of the filing date of a national application, or the date of entry into the al stage as set forth in 37 C.F.R. § 1.491 in an international application; or after the 12 date of a first Office Action on the merits, but before the mailing date of a Final of under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § 1.311 thever occurs first), and includes (37 C.F.R. § 1.97 (c):
		the Certification under 37 C.F.R. § 1.97(e) (see "Certification" below)
		OR
		the fee of \$180.00 set forth in 37 C.F.R. § 1.17(p) (see "Fees" below).
	1.311 issue below Payme Inform	a Final Action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § (whichever occurs first), but before, or simultaneously with, the payment of the fee, and includes the Certification under 37 C.F.R. § 1.97(e) (see "Certification"), and the Petition Fee set forth in 37 C.F.R. § 1.17(i) (see "Fees" and "Method of ent of Fees" below). Applicants hereby petitions for consideration of the nation Disclosure Statement submitted herewith and the accompanying references mination of the subject patent application.
<u>CERT</u>	IFICAT	<u>rion</u>
	Inforn office	andersigned hereby certifies that each item of information contained in the nation Disclosure Statement was cited in a communication from a foreign patent in a counterpart foreign patent application not more than three months prior to the of the Information Disclosure Statement.
	Inform office signin design	undersigned hereby certifies that no item of information contained in the nation Disclosure Statement was cited in a communication from a foreign patent in a counterpart foreign patent application or, to the knowledge of the person g the certification after making reasonable inquiry, was known to any individual nated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the nation Disclosure Statement.

<u>FEES</u>	
	No fee is owed by the applicant(s).
	The IDS Fee of \$180.00 under 37 C.F.R. § 1.17(p) is enclosed herewith.

METHOD OF PAYMENT OF FEES

The Commissioner is authorized to charge our **Deposit Account No.: 13-2490** in the amount of \$180.

CERTIFICATE OF MAILING VIA EXPRESS MAIL DELIVERY under 37 C.F.R. § 1.10. I hereby certify that the attached paper of fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 C.F.R.§ 1.10 on the date indicated above and is addressed to Commissioner for Patents, Box 1450, Alexandria, VA, 22313-1450, on this <u>26th</u> day of <u>June, 2007</u>. Express Mail No. <u>EV840506653US</u>.

Respectfully submitted,

David S. Harper

Registration No. 42,636

U.S. Patent Documents

1. Bacus, et al., U.S. Patent No. 5,016,283 Issued May 14, 1991.

Foreign Documents:

- 2. WO 90/10276, Published September 7, 1990.
- 3. JP 19840153710, Published February 14, 1986.

Other Documents:

- 4. Lieske, et al. Neuroscience, 90(3): 967-974, March 9, 1999.
- 5. Dow, et al. Cytometry 25: 71-81, 1996.
- 6. McFarland, et al. Clinical and Experimental Pharmacology and Physiology, 22:362-363, 1995.
- 7. Wang, et al. Pure and Applied Chemistry, 73(10): 1599-1611, 2001 (Abstract only).

McDonnell, Boehnen, Hulbert & Berghoff LLP 300 S. Wacker Drive, Suite 3100 Chicago, IL 60606 312-913-0001 8. Ranefall, et al. Analytical Cellular Pathology, 15: 145-156, 1997.

9. Sano. Current Trends in Neurochemistry, 1: 27-40, 1997 (Abstract only)

The Applicants hereby notify The Patent Office of the following commonly owned co-pending applications:

1. U.S. Application Serial No. 11/229,382, filed September 16, 2005.

2. U.S. Application Serial No. 10/411, 635, filed April 11, 2003.

3. U.S. Application Serial No. 10/685,737, filed October 15, 2003.

4. U.S. Application Serial No. 09/718,770, filed November 22, 2000.

In accordance with MPEP Sections 609 and 707.05(b), it is requested the document cited (including any cited in applicant's specification which is not repeated on the attached Form PTO-1449) be given thorough consideration and that it be cited of record in the prosecution history of the present application by initialing on Form PTO-1449. Such initialing is requested even if the Examiner does not consider a cited document to be sufficiently pertinent to use in a rejection, or otherwise does not consider it to be prior art for any reason, or even if the Examiner does not believe that the guidelines for citation have been fully complied with. This is requested so that each

Date: 6/26/07 By: David S. Harper

document becomes listed on the face of the patent issuing on the present application.

Reg. No. 42,636

Respectfully submitted,

McDonnell, Boehnen Hulbert & Berghoff LLP 300 South Wacker Drive, Suite #3100 Chicago, IL 60606

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FORM PTO-1449 (Rev. 2-32)	U.S. Department of Commerce Patent and Trademark Office	Atty. Docket No. 97-022-B2-C0	Serial No. 10/686,161	
SUPPLEMENTAL INFORMA STATEMENT BY A (Use several sheets i				
		Applicant: Dunlay, et al.		
		Filing Date: October 15, 2003	<i>Group:</i> 1631	

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc).

Examiner Initial		
	4.	Lieske, et al. Neuroscience, 90(3): 967-974, March 9, 1999.
	6.	Dow, et al. Cytometry 25: 71-81, 1996.
6. McFarland, et al. Clinical and Experimental Pharmacology and Physiology, 22:362-363		McFarland, et al. Clinical and Experimental Pharmacology and Physiology, 22:362-363, 1995.
	7.	Wang, et al. Pure and Applied Chemistry, 73(10): 1599-1611, 2001. (Abstract only)
	8.	Ranefall, et al. Analytical Cellular Pathology, 15: 145-156, 1997.
	9.	Sano. Current Trends in Neurochemistry, 1: 27-40, 1997. (Abstract only)

EXAMINER	DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.

FORM PTO-1449 (Rev. 2-32)	U.S. Department of Commerce Patent and Trademark Office	Atty. Docket No.	Serial No.	
		97-022-B2-CO	10/686,161	
STATEME (Use severa	NFORMATION DISCLOSURE ENT BY APPLICANT all sheets if necessary)			
(JUN & 6 JOOJ E		Applicant:		
ATRACE TRACE AND STATE OF THE S		Dunlay, et al.		
GTRADE		Filing Date:	Group:	
		October 15, 2003	1631	

U.S. PATENT DOCUMENTS

Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	1.	5,016,283	May 14, 1991	Bacus			Nov 17, 1987

FOREIGN PATENT DOCUMENTS

Examiner Initial		Document Number	Date Country	Country	Class	Subclass	Translation	
							Yes	No
	2.	WO 90/10276	September7, 1990	WO				
	3.	JP19840153710	February 14, 1986	JP			Abstract	

EXAMINER		DATE CONSIDERED	
	700		

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.